

UNITED STATES DISTRICT COURT  
MIDDLE DISTRICT OF PENNSYLVANIA

JEREMY HEATH BARNEY, :  
 :  
 Plaintiff : CIVIL ACTION NO. 3:17-1779  
 :  
 v. : (JUDGE MANNION)  
 :  
 PA DEP'T CORR., et al, :  
 :  
 Defendants :

**ORDER**

In accordance with the Memorandum issued this date, **IT IS HEREBY ORDERED THAT:**

1. Defendants' motion to dismiss (Doc. [35](#)) is **GRANTED**.
2. Plaintiff's motion for injunctive relief (Doc. [31](#)) is **DISMISSED** as moot.
3. Plaintiff's motion to depose Defendants (Doc. [49](#)), motion for discovery (Doc. [52](#)) and motion for leave to file supplemental brief in support of discovery (Doc. [62](#)) are **DISMISSED** as moot.
4. Plaintiff's motion for sanctions for Defendants use of Smart Communications to serve Plaintiff with their filings, (Doc. [63](#)) is **DENIED**.
5. The Clerk of Court is directed to **CLOSE** this case.
6. Any appeal will be deemed frivolous, lacking merit, and not taken in good faith. See [28 U.S.C. §1915\(a\)\(3\)](#).

*s/ Malachy E. Mannion*  
**MALACHY E. MANNION**  
United States District Judge

**Dated: March 2, 2021**

17-1779-01-ORDER